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47069 7590 02/06/2007 KONRAD RAYNES & VICTOR, LLP ATTN: IBM54 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER MIRZA, ADNAN M	
			ART UNIT 2145	PAPER NUMBER

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**MAILED**

**FEB 06 2007**

**Technology Center 2100**

Application Number: 09/591,035  
Filing Date: June 09, 2000  
Appellant(s): ENGLAND ET AL.

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Janaki K. Davda  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 11/30/2006.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of the amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

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**(6) Issues**

The appellant's statement of the issues in the brief is correct.

**(7) Claims Appealed**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Prior Art of Record**

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

2002,0073,236	Helgeson et al	07-2001
6,351,776	O'Brien et al	03-2001

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1-24 are presented for examination.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helgeson et al (U.S. 2002/0073236) and in view of O'Brien et al (U.S. 6,351,776).

As per claims 1,9,17 Helgeson disclosed a computer implemented method of adapting a transaction-based mainframe application to process transactions over a network, said transaction-based mainframe application comprising source code describing a transaction and information related to the transaction, hereinafter related information, said method comprising: scanning the source code of the transaction-based mainframe application to identify the transaction and the related information (Page 2, Paragraph. 0016); wherein the transaction-based mainframe application is unable to process transaction over a World Wide Web (Page. 3, col. 0039); storing in a database the related information identified in the scan of the source code, wherein after identified information (Page. 19, Paragraph, 0381-0382); extracting from the database parameter definitions describing communication of information by the transaction, hereinafter extracted information; identifying a parameter usage type for each parameter (Page. 12, col. 0277-0278, Page. 48, col. 0836), said parameter usage type selectable from the parameter usage type set comprising input, output, input/output, and unreferenced; displaying the transaction and a subset of the related information and extracted information (Page. 19, col. 0387); Wherein the identified connector enables the transaction-based application to process transactions over the web by enabling the transaction to be passed from a web application server to the transaction-based mainframe application (Page. 21, Paragraph. 0420 & Page. 22, Paragraph. 0424). One ordinary skill in the art at the time of the invention knows that couple of ways first by scanning the codes to transfer the application content between two different operating system and it doesn't matter

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to what kind of operating system should be included and second by specifying the specific parameters.

However Helgeson does not disclose in details allowing a user to select the transaction; and using the identified information and extracted information to package the user-selected transaction in a form compatible with a connector building tool by generating a communication area file that may be parsed by the connector building tool to build a connector and documentation file that provides documentation about the communication area file.

In the same field of endeavor O'Brien disclosed the user must be sent back to the same database query is made at step 740 to determine if that database is still up. If it is, the request is passed to the pool specification where it is subsequently passed to the database object, on to the connection pool and the appropriate database, either the transactional database or the query database (col. 15, lines 21-27).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated the user must be sent back to the same database query is made at step 740 to determine if that database is still up. If it is, the request is passed to the pool specification where it is subsequently passed to the database object, on to the connection pool and the appropriate database, either the transactional database or the query database as taught by O'Brien in the method of Helgeson to make it efficient for the files to be available worldwide through the Internet and providing means by which files and other data may be stored on the Internet and made available worldwide through the Internet.

3. As per claims 2,10,18 Helgeson-O'Brien disclosed wherein the communication area file contains information which can be parsed by a connector building tool (O'Brien, col. 16, lines 61-67, col. 17, lines 1-9).

4. As per claims 3,11,19 Helgeson-O'Brien disclosed wherein the documentation file describes the communication area file (O'Brien, col. 13, lines 39-49).

5. As per claims 4,12,20 Helgeson-O'Brien disclosed wherein the documentation file comprises field description information and connection information (O'Brien, col. 13, lines 39-49).

6. As per claims 5,13,21 Helgeson-O'Brien disclosed using the identified information and extracted information to build a connector (O'Brien, col. 15, lines 21-41).

7. As per claims 6,14,22 Helgeson-O'Brien disclosed comprising using the identified information and extracted information to build an enterprise Java bean connector (O'Brien, col. 15, lines 21-41).

8. As per claims 7,15,23 Helgeson-O'Brien disclosed wherein the database can be queried to find program parts comprising the transaction-based mainframe application and identify relationships between the program parts (Helgeson, Page. 12, col. 0277-0278)

9. As per claims 8,16,24 Helgeson-O'Brien disclosed wherein the related information is a member of the set comprising relationships, call hierarchies, transactions, communication areas, parameters, the flow of data elements, and resources employed (Helgeson, Page. 21, col.0420).

**(10) Applicant's arguments:**

A. Applicant argued (Page. 10, Paragraph. 1) of the appeal brief that the prior art did not disclose, "A transaction-based mainframe application is unable to process transaction over a World Wide Web".

As to point A during patent examination and prosecution, claims must be given their broadest reasonable interpretation. *In re Van Geuns*, 988 F.2d 1181, 1184, 26 USPQ2d 1057, 1059 (Fed. Cir. 1993); *In re Prater*, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969). Examiner noted that one ordinary skill in the art at the time of the invention knows that the mainframe is defined as any computer processing machine. Further as to prior art Helgeson disclosed, "The programs of instructions comprise a first component for translating a data object from a first system specific local format to a generic interchange format object, a second component for translating the data object from a first system specific local format to a generic interchange to a second system specific local format object, and a third component for transferring the data object between the first and second system. The first component further comprises a system independent service subcomponent and a system specific service subcomponent utilizing a native API (Application Interface) of said first system to translate said



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data object from a generic interchange format object to a second system specific local format object using a predefined stylesheet” (Page. 2, Paragraph. 0015). One ordinary skill in the art at the time of the invention knows that translating the data in different format from one system to different system.

B. Applicant argued (Page. 11 Paragraph. 1) of the appeal brief that prior art did not disclose that the stored data is related information that was identified by scanning the source code of a transaction-based mainframe application that is unable to process transactions over a World Wide Web (Web)”.

As to point B during patent examination and prosecution, claims must be given their broadest reasonable interpretation. *In re Van Geuns*, 988 F.2d 1181, 1184, 26 USPQ2d 1057, 1059 (Fed. Cir. 1993); *In re Prater*, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969). Examiner noted that one ordinary skill in the art at the time of the invention knows that the mainframe is defined as any computer processing machine, according to patent examination and prosecution, claims must be given their broadest reasonable interpretation. *In re Van Geuns*, 988 F.2d 1181, 1184, 26 USPQ2d 1057, 1059 (Fed. Cir. 1993); *In re Prater*, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969). Where as prior art Helgeson disclosed, “Web Content Server can also provide the platforms web content generation engine for use by users to create, render, and present web content while improving the dynamic acquisition of data from a variety of sources followed by its reformatting and display via style sheets Using web standards for XML and XSL, Web Content Server 800 provides a user with a customizable framework for

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decoupling data from presentation and generating web content in a variety of formats, from standard HTML to WML (Page. 28, Paragraph. 0526).

C. Applicant argued (Page. 9, Paragraph. 3) of the appeal brief that Helgeson is predominantly web enabled and there is no to enable a transaction-based mainframe application that is not originally designed to process transaction over the web to do so.

As to point C Helgeson disclosed, "This would be accomplished by declaring a transactional attribute of TX-REQUIRED for the method cancelClass() in the beans deployment descriptor. If the calling client or bean already has a transaction started, the method will then be executed within the scope of that transaction will automatically be started for this method (Page. 21, Paragraph. 0420). One ordinary skill in the art at the time of the invention knows that couple of ways first by scanning the codes to transfer the application content between two different operating system and it doesn't matter to what kind of operating system should be included and second by specifying the specific parameters.

D. Applicant argued (Page. 13, Paragraph. 2) of the appeal brief that O'Brien patent disclosed a web or browser-based application, so there is no need to use the identified information and extracted information to package the user-selected transaction in a form compatible with a connector building tool by generating a communication area file that may be parsed by the connector building tool to build a connector and documentation file that provides documentation about communication area file, wherein the connector enables the transaction-

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based mainframe application to process transaction over the web. But O'Brien did not teach the claimed connector.

As to point D one ordinary skill in the art at the time of the invention knows that in order for the application to run another operating you just build an interface between that application and the operating system environment. O'Brien did disclose the user must be sent back to the same database query is made at step 740 to determine if that database is still up. If it is, the request is passed to the pool specification where it is subsequently passed to the database object, on to the connection pool and the appropriate database, either the transactional database or the query database. One ordinary skill in the art at the time of the invention interpreted the connector pool also pool of drivers or interfaces that contains in order for different application to be able to communicate with different operating systems, whereas interface is actually written software code to have the application and the operating system to understand each other and that is also true for regarding Helgeson.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,




A.M.

Feb 1, 2007

Conferees



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